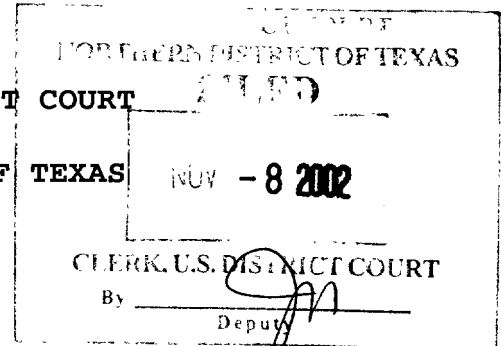


IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF TEXAS

AMARILLO DIVISION



HOLLISTER GARDNER, and §
DAN and JO BETH GARDNER, as §
Guardians *ad Litem* for §
MOLLY GARDNER and COLBY §
GARDNER, §

PLAINTIFFS, §

v. §

THE TULIA INDEPENDENT SCHOOL §
DISTRICT, JEANETT HERRING, §
SAM SADLER, SCOTT BURROW, §
ANNA GRANADO, BOYD MILNER, §
and BEN HOWARD, in their §
Official Capacities and in §
their Individual Capacities §
as Trustees, and GARY GARDNER, §
in his Official Capacity as §
Trustee, §

DEFENDANTS. §

CIVIL ACTION CAUSE NUMBER
2:97-CV-020-J

CONSOLIDATED WITH

CIVIL ACTION CAUSE NUMBER
2:97-CV-041-J

AMENDED FINAL JUDGMENT


This action having been remanded by the Fifth Circuit Court of Appeals for further consideration in light of the Supreme Court's decision in Board of Education of I.S.D. No. 92 of Pottawatomie County vs. Earls, 122 S.Ct. 2559 (2002), which is factually analogous to this case, and the Court having entered its opinion, additional findings of fact, and conclusions of law that Plaintiffs are not entitled to the declaratory and injunctive relief sought in this consolidated action, it is therefore

ORDERED, ADJUDGED and DECREED that the Plaintiffs take nothing from the Defendants in this suit, and

It is FURTHER ORDERED, ADJUDGED and DECREED that Defendants shall have and recover from Plaintiffs their taxable costs in this action.

It is SO ORDERED, ADJUDGED and DECREED.

Signed and Entered this the 5th day of November, 2002.

A handwritten signature in cursive script, appearing to read "Mary Lou Robinson", is written over a horizontal line.

MARY LOU ROBINSON

UNITED STATES DISTRICT JUDGE